

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: October 15, 2004
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application No. (if known): <b>10/511396</b>
INTERNATIONAL APPLICATION NO.: PCT/JP03/04910	INTERNATIONAL FILING DATE: April 17, 2003	PRIORITY DATE CLAIMED: April 17, 2002
TITLE OF INVENTION: <b>SAMPLE SURFACE INSPECTION APPARATUS AND METHOD</b>		
APPLICANT(S) FOR DO/EO/US: <b>Masahiro HATAKEYAMA, Kenji WATANABA, Takeshi MURAKAMI, Tohru SATAKE and Nobuharu NOJI</b>		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <u>XX</u> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <u>  </u> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <u>XX</u> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <u>XX</u> The US has been elected (Article 31).</p> <p>5. <u>XX</u> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <u>  </u> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <u>XX</u> has been transmitted by the International Bureau.</p> <p>c. <u>  </u> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <u>XX</u> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <u>XX</u> is attached hereto.</p> <p>b. <u>  </u> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <u>XX</u> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <u>  </u> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <u>  </u> have been transmitted by the International Bureau.</p> <p>c. <u>  </u> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <u>XX</u> have not been made and will not be made.</p> <p>8. <u>  </u> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <u>  </u> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <u>  </u> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
<p>11. <u>XX</u> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO-1449.</p> <p>12. <u>  </u> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: <b>EBARA CORPORATION, Tokyo, Japan</b> Please publish the assignee data with the application.</p> <p>13. <u>XX</u> A preliminary amendment.</p> <p>14. <u>  </u> An Application Data Sheet under 37 C.F.R. 1.76</p> <p>15. <u>  </u> A substitute specification.</p> <p>16. <u>  </u> A change of power of attorney and/or address letter.</p> <p>17. <u>  </u> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</p> <p>18. <u>  </u> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <u>  </u> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <u>XX</u> Other items or information: 19 sheets of drawings.</p>		

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21. <input checked="" type="checkbox"/> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO: .....\$950.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$750.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$790.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$1110.00  International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>

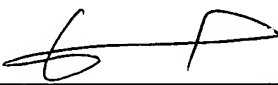
  

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 130.00	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	59 -20 =	39	X \$ 18.00	\$ 702.00	
INDEPENDENT	5 - 3 =	2	X \$ 88.00	\$ 176.00	
Multiple dependent claims(s) (if applicable)			+ \$300.00	\$ 300.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$2,258.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).					
<b>SUBTOTAL =</b>				<b>\$2,258.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +					
<b>TOTAL NATIONAL FEE =</b>				<b>\$2,258.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$2,258.00</b>	
				Amount to be:	
				refunded	\$
				charged	\$

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<p>a. <u>XX</u> A check in the amount of \$2,258.00 to cover the above fees is enclosed. (\$950.00 for basic filing fee; \$702.00 for 39 additional claims; \$176.00 for 2 additional independent claims; \$300.00 for multiple dependent claims and \$130.00 for late filing of the declaration).</p> <p>b. <u>   </u> Please charge my Deposit Account No. 50-2866 in the amount of \$<u>   </u> to cover the above fees. (A duplicate copy of this sheet is enclosed.)</p> <p>c. <u>XX</u> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2866.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.</p>		
Send All Correspondence To:	<b>WESTERMAN, HATTORI, DANIELS &amp; ADRIAN, LLP</b> 1250 Connecticut Avenue, N.W. Suite 700 Washington, D.C. 20036 CUSTOMER No. 38834	
Typed or Printed Name: Ken-Ichi Hattori		Reg. No.: 32,861
Signature 		Date: October 15, 2004

KH/yap